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April 5, 2004      LB 983, 1065

to the Highway Trust Fund. And I think what we've already done in the committee--and I think it was maybe a different bill...if Senator Baker would answer a question, please?

SENATOR SCHIMEK: Senator Baker.

SENATOR KREMER: Senator Tyson's mike, if you want to, there.

SENATOR BAKER: Yes, I would answer a question.

SENATOR KREMER: Okay. Was there a discussion in the Revenue Committee about the fact that it might revert back to the Highway Trust Fund, and that there was an agreement that if it was clarified that it could not do that, then if it was funded this other way, was there some discussion on that in your Revenue Committee, (inaudible)?

SENATOR BAKER: Yes, some. And it is in LB 1065, that will repeal 66-4,142. That takes the question mark out of it. Right now, there's conflicting statutes. Senator Bromm brought that up the other day. Conflicting statutes are Section 66-1345 that say, shall not be made a transfer out of the Highway Trust Fund; and 66-4,142 says it could be. So the newer language is in the 1345 statute.

SENATOR KREMER: Is that bill already...where are we at on the bill that takes that out?

SENATOR BAKER: Well, that's in statute. LB 983, I think, is the bill number. A Revenue Committee bill, I believe, has that stricken also in that bill; 66-4,142 is stricken in the bill. I think that's on Select File. It might be on Final Reading.

SENATOR KREMER: Did you feel like that was a compromise, then, in order to be funded by the gas checkoff...or the gas tax and the checkoff?

SENATOR BAKER: Yes, I did. I think in the Revenue Committee that we agreed that we would take that ambiguous language out of the statutes and go ahead, and that was part of the compromise work to get the bill out of committee, and with the .3 cent a